APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/253,944	02/22/1999	FUMIO NARISAWA	381NP/47598	6255

7590   01/02/2002

EVENSON MCKEOWN EDWARDS & LENAHAN
1200 G STREET NW
SUITE 700
WASHINGTON, DC   20005

EXAMINER
INGBERG, TODD D

ART UNIT	PAPER NUMBER
2122	

DATE MAILED: 01/02/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary

Application No.	Applicant(s)
09/253,944	Fumio Narisawa et al.
Examiner	Art Unit
Todd Ingberg	2122

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ___3___ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *Nov 19, 2001* _____ .

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-10* _____ is/are pending in the application.

   4a) Of the above, claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-10* _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

   a) ☐ All b) ☐ Some* c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   *See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)

16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _6_

18) ☐ Interview Summary (PTO-413) Paper No(s). _____

19) ☐ Notice of Informal Patent Application (PTO-152)

20) ☐ Other:

DETAILED ACTION

Claims 1- 10 have been examined.

Claims 1, 5, 8 and 10 were amended.

Information Disclosure Statement

1.   The information disclosure statement filed November 19, 2001 has English translations

for the Abstracts of the seven Japanese Patents filed. Those Abstracts have been considered. And

the Article (full English) has also been considered.

Specification

2.   The minor changes to the Specification were approved and entered.

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4.   Claims 1- 10 are rejected under 35 U.S.C. 102(a,e) as being anticipated by

USPN 6,230,314 B1 Sweeney et al (referred to as **Sweeney**).

Claim 1

Sweeney anticipates a software generation system comprising: a specification analysis means which analyzes an object-oriented specification for deriving specification information; a function removing means which checks said specification information derived by said specification analysis means by collating with a function removal rule which is predetermined, and removes a function which becomes unnecessary from a set of object-oriented functions by which members are realized, for generating from the specification information program information excluding the unnecessary function; and a code generation means for generating a code according to said program information obtained by said function removing means (**Sweeney** , Abstract).

Claim 2

A software generation system according to claim 1, wherein said function removing means removes a function of a virtual function according to said function removing rule (**Sweeney** , Abstract).

Claim 3

A software generation system according to claim 1, wherein said function removing means removes a function of dynamic generation (or installation) of an instance according to said function removing rule.(**Sweeney** , Abstract).

Claim 4

A software generation system according to claim 1, wherein said function removing rule comprises: an input pattern including an object name and a method name; a pattern which indicates an object-oriented function, and whether "to use" or "not to use" said object-oriented

function; and an output pattern including output code generation patterns with said

object-oriented function being used and not used.(**Sweeney** , Abstract - Please note although

Sweeney does not use the word PATTERN. By definition a pattern is a class and any reusable

architecture that experience has shown to solve a common problem in a specific context).

Claim 5

Sweeney anticipates a software generation system comprising: an input means for inputting a

specification described as diagrammatic information, and selecting an object-oriented function by

which members are realized to utilize; an analysis means for analyzing said specification entered

via said input means (**Sweeney, Abstract, Figures 7 - 20, 23-25, and col 6lines 27 -56) ; a

function selection means which outputs pattern information for use in generating a code on the

basis of a result of analysis by said analysis means and according to said object-oriented function

selected (**Sweeney** , Abstract); and a code generation means for generating a program code of

said specification analyzed according to the pattern information output from said function

selection means

(**Sweeney** , Abstract).

Claim 6

A software generation system according to claim 5, wherein said function selection means selects

exclusively a function of a virtual function, and said code generation means generates a code

using the function of said virtual function exclusively selected as per claim 5.

Claim 7

A software generation system according to claim 5, wherein said function selection means selects exclusively a function of dynamic installation of an instance, and said code generation means generates a code using the function of dynamic installation of said instance exclusively selected as per claim 5.

Claim 8

A software generation system comprising: a specification analysis means which analyzes an object-oriented specification for deriving specification information; an analysis result display means for displaying a status of use of an object-oriented function by which a member is realized from said specification information; an input means whereby to select an object-oriented function to utilize; a function memory means for storing a function selected via said input means; a program information generation means for generating program information on the basis of said specification information derived by said specification analysis means and using said function selected and stored in said memory means; and a code generation means for generating a code on the basis of said program information obtained by said program generation means as per claim 5.

Claim 9

A software generation system according to claim 8, wherein said analysis result display means displays a method of a plurality of process methods which is not used (**Sweeney**, Figures 19-22, col 6, lines 27-56).

Claim 10

A software generation method comprising the steps analyzing an object-oriented specification entered; generating program information using object oriented functions by which members are realized without unnecessary functions according to a predetermined function removing rule; and generating a code of said specification analyzed on the basis of said program information (**Sweeney,** Abstract and Figure 7).

Response to Arguments

5.   Applicant's arguments filed November 19, 2001 have been fully considered but they are not persuasive. The Applicant is arguing the Sweeney reference does not remove unneeded/unused functions. Examiner disagrees Sweeney in the Abstract clearly states "... the elimination of this member from the instances where it is not needed" and concludes with ".... it may reduce the space required to represent the objects". One of ordinary skill in the art should recognize that "functions" and "methods" are the same and that the term "member" was common in the early 1990's and is commonly referred to as "object". Objects contain attributes and methods by definition. The claims have been given the broadest reasonable interpretation in view of the Specification. the Sweeney reference meets the limitations. The rejection is maintained.

Conclusion

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Correspondence Information

7.   Any inquiry concerning this communication or earlier communications from the

Examiner should be directed to **Todd Ingberg** whose telephone number is **(703) 305-9775.** The

Examiner can normally be reached on Monday through Thursday from 6:30 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the **Examiner's**

Supervisor, Leo Picard can be reached at **(703)308-0538.** Any response to this office action

should be mailed to: **Director of Patents and Trademarks Washington, D.C. 20231**, or **Hand-**

delivered responses should be brought to **Crystal Park II, 2121 Crystal Drive Arlington,**

Virginia, (Receptionist located on the fourth floor), or faxed. The following **fax numbers**

apply:

After Final   **(703) 746 - 7238**

Art Unit: 2122

Official   **(703) 746 - 7239**

Non Official/ Draft   **(703) 746 -7240**

Todd Ingberg

December 23, 2001

KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER